

Summary of Changes from Draft RFP to Final RFP 12/13/2005

General

1. References to the “Draft” RFP have been eliminated.

Executive Summary

1. References to the “Draft” RFP have been eliminated.
2. The date in the heading has been changed to December 2005.
3. Questions related to the RFP must be submitted within 15 days of Final RFP release date.
4. Award Term Incentive section has been revised in accordance with the modification of Clause F.2, **Award Term Incentive**.
5. Under Employee Retention, the reference to the key personnel of the current contract being reflected in Section L, Appendix 4 was removed and Offerors were directed to the TJNAF SEB webpage instead.
6. Under Proposal Due Date, Proposals were made due on January 25, 2006.
7. Under Oral Presentations, Offerors will be required to make oral presentations to the SEB “approximately fourteen calendar days” after submission of proposals rather than “fourteen days.” The SEB will schedule the oral presentations within “five calendar days” after the date for receipt of proposals rather than “five working days.”

Section A

1. Block 11 has been updated to reflect correct page numbers.
2. The contract number was changed to DE-AC05-06OR23177 to reflect award in FY 2006.
3. The point of contact under Item 7 and Item 10 was changed to Mark A. Million from Karen Shears.

Section B

No changes

Section C

1. **C.2.3 – Performance Objectives and Measures.** In paragraph two, the clause number DEAR 970.5215-1 was added to the Section I Clause, “**Total Available Fee: Base Fee Amount and Performance Fee Amount**” reference.

Section D

No changes

Section E

No changes

Section F

1. Clause F.2, **Award Term Incentive**, has been updated to reflect the latest SC guidance. This includes the deletion of the “Outstanding” and “Satisfactory” ratings (formerly (a)(1) and (a)(2) and references to these ratings in paragraph (b). Also, the word “extension” has been added to subparagraph (c)(5)(ii) to ensure consistent terminology.
2. F.2 (d)(5). The clause number was updated to DEAR 970.5203-1.

Section G

No changes

Section H

1. Clause H.2, **Long-range Planning, Program Development and Budgetary Administration**, paragraph (b) has been modified to update the Business Plan annually rather than bi-annually in accordance with the Statement of Work.
2. Clause H.8, **Additional Definitions**, has been revised to delete subparagraph (a)(4) so that the definition of a “non-profit” organization is identical to the definition found in the Bayh-Dole Act. In addition, “Alternate I” has been added after the reference to the Property clause in (a).
3. The title for Clause H.12 has been changed from “**Limitation on Liability**” to “**Limitation on Liability for Non-Profit Organizations.**”
4. Clause H.17, **Guarantee(s) of Performance**: The first sentence was revised to read: “The Contractor is required by other provisions of this contract to form a separate corporate or other legal entity.”
5. Clause H.18, **Workforce Transition, Contractor Compensation, Benefits and Pension**, has been rewritten.
6. Clause H.28, **Activities During Contract Transition**, subparagraph (c)(6) has been changed to reflect the change in clause title.
7. Clause H.35, **Safeguards and Security Requirements**: The reference to DOE Order 470.1 was removed since this order no longer exists.
8. Clause H.42, **Separate Corporate or Other Legal Entity**: All uses of the phrase “corporate entity” were replaced with “corporate or other legal entity.”
9. Clause H.46, **Care of Laboratory Animals**, has been added. Although this clause is not applicable to work currently being performed at TJNAF, it is anticipated that this clause will be applicable to future work.
10. Clause H.47, **Electronic Subcontracting Reporting System** (Oct 2005) was added in compliance with Acquisition Letter 2006-1.

Section I

1. Clause I.33, FAR 52.223-6, **Drug-Free Workplace** (May 2001) was deleted from the RFP. DEAR 970.5223-4, **Workplace Substance Abuse Programs at DOE Sites** (DEC 2000) is already included in the RFP and requires the contractor to be in compliance with the requirements and processes contained in 10 CFR 707. These

requirements and processes are more detailed than those depicted in FAR 52.223-6. Consequently, the DEAR clause in the solicitation is adequate.

2. Clause I.86 (formerly I.87), **Nuclear Hazards Indemnity Agreement**, has been updated in accordance with Acquisition Letter 2005-15.
3. Subparagraph (c)(1) has been corrected in Clause I.106 (formerly I.107), **DEAR 970.5227-2 Rights in Data - Technology Transfer** (DEC 2000) (DEVIATION), to include the word “not” between the words “agrees” and “to.”
4. Clause I.127 (formerly Clause I. 128), **DEAR 970.5237-2, Facilities Management** (DEC 2000)(DEVIATION), was revised to correct a reference to DOE directives which are no longer active. In addition, other editorial changes were made to better align this DEAR clause with the Life Cycle Management approach outlined in updated DOE directives.

Section J

Appendix A

No changes

Appendix B

1. Narrative on Page J-B-1 replaced the word “current” with “TJNAF FY 2006”; corrected the name of the plan so that it reads correctly as the “TJNAF FY 2006 Performance Evaluation and Management Plan”; and added the phrase “has been developed”. The following two sentences were also added: “It provides a sense of the Department of Energy’s current thinking in accordance with SC guidance. After contract award, a Performance Evaluation and Management Plan will be negotiated with the selected Offeror for the period of performance remaining in FY 2006.”

Appendix C

No changes

Appendix D

No changes

Appendix E

1. DOE Policy 413.2, Value Engineering has been added and DOE Notice 413.2, Value Engineering, has been removed.
2. DOE Policy 456.1, Secretarial Policy Statement on Nanoscale Safety, dated 09/15/2005 has been added.
3. DOE Order 151.1B, Comprehensive Emergency Management System, dated 10/29/2005 has been added.
4. DOE Order 224.2, Auditing of Programs and Operations, has been removed.
5. DOE Order 226.1, Implementation of DOE Oversight Policy, dated 09/15/2005 has been added.
6. DOE Order 311.1B, Equal Employment Opportunity and Diversity Program, has been removed.
7. DOE Order 331.1B, Employee Performance Management System, has been removed.

8. DOE Order 341.1, Federal Employee Health Services, dated 12/01/2003 has been added.
9. DOE Order 412.1, Work Authorization System, has been updated to DOE Order 412.1A, Work Authorization System, dated 04/21/2005.
10. DOE Order 413.2A, Laboratory Directed Research and Development, has been removed.
11. DOE Order, 414.1B, Quality Assurance, has been updated to DOE Order 414.1C, Quality Assurance, dated 06/17/2005.
12. DOE Order 442.1A, DOE Employee Concerns Program, dated 06/06/2001 has been added.
13. DOE Order 450.1, Environmental Protection Program, has been updated to include Change 1 dated 01/15/2005.
14. DOE Order 470.2B, Independent Oversight and Performance Assurance Program, dated 10/31/2002 has been added.
15. Due to the implementation of the new security order, DOE Order 470.4, Safeguards and Security Program, dated 08/26/2005, the following changes have been made:
 - (a) DOE Order 470.4, Safeguards and Security Program has been added.
 - (b) DOE Order 471.4, Incidents of Security Concern, has been removed.
 - (c) DOE Manual 472.1-1B, Personnel Security Program Manual, has been removed.
 - (d) DOE Order 472.1C, Personnel Security Activities, has been removed.
 - (e) DOE Order 473.1, Physical Protection Program, has been removed.
 - (f) DOE Notice 473.9, Security Conditions, has been removed.
16. DOE Order 481.1B, Work for Others (Non-Department of Energy Funded Work), has been updated to DOE Order 481.1C, Work for Others (Non-Department of Energy Funded Work), dated 01/27/2005.
17. DOE Order 540.1, Departmental Business Instrument Numbering System, has been updated to DOE Order 540.1A, Departmental Business Instrument Numbering System, dated 01/27/2005.
18. DOE Order 552.1, Travel Policy and Procedures, has been removed.
19. DOE Order 2300.1B, Audit Resolution and Follow-up, has been removed.
20. DOE Order 2340.1C, Coordination of General Accounting Office Activities, has been removed.
21. DOE Order 3304.1A, Employment of Experts and Consultants, has been removed.
22. DOE Order 5480.4, Change 4, Environmental Protection, Safety and Health Protection Standards, dated 01/07/1993 has been added.
23. DOE Order 5530.3, Radiological Assistance Program, has been removed.
24. DOE Manual 205.1-2, Clearing, Sanitization, and Destruction of Information System Storage Media, Memory Devices, and Related Hardware Manual, dated 06/26/2005 has been added; and DOE Notice 205.12, Clearing, Sanitizing, and Destroying Information System Storage Media, Memory Devices, and Other Related Hardware, has been removed.
25. DOE Notice 450.13, Extension of DOE N 450.7, The Safe Handling, Transfer, and Receipt of Biological Etiologic Agents at Department of Energy Facilities, has been removed.
26. DOE Notice 206.2, Personal Identity Proofing, dated 09/14/2005 has been added.

27. DOE Notice 221.10, Reporting Fraud, Waste, and Abuse, has been updated to DOE Notice 221.11, Reporting Fraud, Waste, and Abuse, dated 09/20/2005.
28. DOE Notice 251.56, Extension of DOE N 481.1A, has been updated to DOE Notice 251.62, Extension of DOE N 481.1A, dated 04/21/2005.

Appendix F

No changes

Appendix G

No changes

Appendix H

No changes

Section K

No changes

Section L

1. L.2 (a) Definitions. The sentence “See also FAR 9.601 for information on contractor teaming arrangements.” was added to the definition of Team Member.
2. L.2 (c) Proposal Submission. The following statement was added, “Should the electronic copy and the paper copies not be identical, the electronic copy shall prevail and will be the official proposal.” The Copies Required of each Proposal Volume were increased as follows: Volume I – 4 copies increased to 8; Volume II – 15 copies increased to 17; and Volume III – 10 copies increased to 15.
3. L.4 Subcriterion 2a. and Subcriterion 2b. The use of the problem-solving exercise has been removed from the evaluation of these two subcriteria.
4. L.4 Subcriterion 2.d. The phrase “including small disadvantaged business concerns” was added to references to small businesses.
5. L.4 Subcriterion 3.b. The language of the instructions was slightly modified.
6. L.5 Volume III, Cost and Fee Proposal Instructions. Paragraph two of L.5 was rewritten as follows: “The Cost and Fee Proposal shall consist of information on annual key personnel costs for the five-year base term and the first five years of award term, the Offeror’s estimated costs to perform the required work for the two-month transition period, the proposed fee for the five-year base term and the first five years of award term, and any other information as specified herein.”
7. L.5 Specific Instructions. Under (a) Key Personnel Costs, the first sentence was modified to read, “For each proposed Key Personnel position, provide the following cost information for the five-year base period and first five years of award term.”
8. L.5 Specific Instructions. Under (c) Performance Fee, the third paragraph was changed to read: “A performance fee will be earned annually based on the Contractor’s performance against a Performance Evaluation and Management Plan. The TJNAF FY 2006 Performance Evaluation and Management Plan has been developed and is available on the TJNAF SEB website. It provides a sense of the Department of Energy’s current thinking in accordance with the DOE Office of

Science (SC) guidance. SC has developed draft guidance to be used for negotiations of future Performance Evaluation and Management Plans for SC laboratories, which is also on the website. After contract award, a Performance Evaluation and Management Plan will be negotiated with the selected Offeror for the period of performance remaining in FY 2006.”

9. L.7 Oral Presentation Procedures. Under (b) Question and Answer Session and Problem-solving Exercise, the use of the problem-solving exercise has been removed from the evaluation of Subcriterion 2a. and Subcriterion 2b. Under (c) Schedule, changes have been made to indicate (1) the Government shall notify Offerors within “five calendar days” rather than “five working days” of the date for receipt of offers of the oral presentation date, time and location, and (2) oral presentations shall start approximately “fourteen calendar days” rather than “fourteen working days” after the deadline for receipt of offers.
10. L.8 Date, Time, and Place Offers/Proposals are Due. Under (b), proposals were made due on January 25, 2006. Under (c), the following sentence was added: “Should the electronic copy and the paper copies not be identical, the electronic copy shall prevail and will be the official proposal.”
11. Provision L.4, Proposal Preparation Instructions – Volume II, Capabilities and Approach Proposal (CAP); Provision L.8, Date, Time, and Place Offers/Proposals are Due; Provision L.24, FAR 52.233-2, Service of Protest; Modified by DEAR 952.233-2 (MAR 2002); and Provision L.28, Intent to Submit an Offer; and Past Performance Questionnaires have been modified to replace the Contracting Officer from Karen Shears to Mark Million.
12. L.32 Section L Appendices. The reference to Appendix 4 was removed.

Appendix 1 – Past-Performance Information Form.

1. The Safety Performance Per Year was also requested for 2005 (to date).

Appendix 2 – Past Performance Questionnaire.

1. The information is to be provided by January 25, 2006.
2. The DOE point-of-contact and phone number were changed.

Appendix 3

No changes

Appendix 4

1. Appendix 4 was removed in its entirety.

Section M

1. M.4 CAPABILITIES AND APPROACH CRITERIA, Criterion 2. Management Approach. The phrase “including small disadvantaged business concerns” was added to Subcriterion 2.d.

2. M.4 CAPABILITIES AND APPROACH CRITERIA, Criterion 3. Relevant Experience. The language of Subcriterion 3.a. and the language of Subcriterion 3.b. were slightly modified.
3. M.5 Cost and Fee Criteria. The word “compensation” was removed from sentence two. The word “incentive” was removed from sentence four. The last sentence was changed to read: “For purposes of determining the best value, the evaluated probable cost will be the total of the proposed fee for the five-year base term and the first five years of award term, along with the probable cost for transition and annual key personnel costs for the five-year base term and the first five years of award term.
4. M.6 Other Documents. The first sentence is not necessary and has been deleted: “The documents submitted as part of the Offeror’s Volume I will not be numerically rated, but will be evaluated to determine their completeness and acceptability.”

In addition, there were a number of editorial changes throughout the solicitation that have no effect on the substance of the solicitation.